



RESPONSE UNDER 37 C.F.R. §1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 1648

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Sabine Neiryneck)	PATENT
)	
Serial No.:	09/498,046)	Attorney Docket
)	VIB-103.0
Filing Date:	February 4, 2000)	(1769/97843)
)	
For:	NEW IMMUNOPROTECTIVE)	
	INFLUENZA ANTIGEN AND)	Group Art No.
	ITS USE IN VACCINATION)	1648
)	
Examiner:	Stacy Brown Chen)	Confirmation No. 8244

SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

This Information Disclosure Statement supplements the Information Disclosure Statement already on file for this application. Additional art that may be material to the prosecution of this application has come to the attention of the applicants during the filing of oppositions in a related patent application in Europe, Patent No. 0996717. The new art and the oppositions are enclosed and listed as documents E1 and E39. Some art may be duplicated in the oppositions. Therefore, only one copy will be listed and provided with the art, unless there is an English version and a French version.

Pursuant to 37 C.F.R. §1.97, a list of the non-redundant documents (document E1-E39) that may be material to the examination of this application from prosecution of the Australian patent is provided on the attached Form PTO/SB/08B. The enclosed art only includes the non-US patent-related disclosures, inasmuch as the US Patent and published US application art need not be physically supplied. However, should physical copies of the patent-related art be requested, counsel will provide it.

No inferences should be drawn that the attached list represents a comprehensive investigation, or that any material disclosed is equivalent to the subject invention. In addition, none of the documents that have publication dates prior to the priority date of the above application anticipate the invention in this application.

The cited documents disclose numerous specific features. There has been no attempt to list each and every feature disclosed by each document. The Examiner is requested to review the documents and determine the extent of the materiality of the document disclosures with respect to the present invention.

The discussion of any art and the citation of any document herein is not to be construed as an admission that the art or document disclosure is necessarily within the invention field of endeavor, that the art or document disclosure is necessarily prior in time to a particular date which may be relevant to the instant patent application, and/or that the art or document disclosure is otherwise necessarily prior art as defined by the patent law with respect to the instant invention and application.

Also, there is reserved the right to later set forth how the instant invention is distinguished over the disclosure of any document or other art, including the disclosures of the art and documents recited herein, that may be cited by the Examiner in rejecting a claim in the instant patent application.

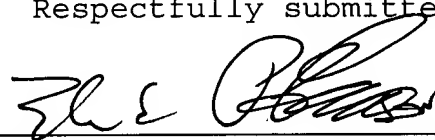
The recitation herein of the art and documents is not to be construed as an assertion that more pertinent art could not possibly be in existence.

No further fee or petition is believed to be necessary. However, should any further fee be needed, please charge our Deposit Account No. 23-0920, and deem this paper to be the required petition.

The Examiner is requested to phone the undersigned should any questions arise that can be dealt with over the phone to expedite this prosecution.

Respectfully submitted,

By



Edward P. Gamson, Reg. No. 29,381

Enclosures

Form PTO/SB/08B and Art
RCE and Fee
Petition for Extension and Fee

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CERTIFICATE OF MAILING

I hereby certify that this Supplemental Information Disclosure and Art, Petition for Extension of Time and its fee, and RCE and its fee are being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop AF, Commissioner For Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on November 21, 2007.

